

SRS/HCP/CSS Article 64 Review Process

Per Kansas Administrative Regulation (K.A.R.) 30-64-32 (3)(B), "the commission," (i.e., SRS/HCP/CSS) has the authority to review disputes after the CDDO governing board (or any other body that the board may designate) makes a determination via the local dispute resolution process, if the dispute involves the CDDO as a party.

- Written Notice of Review under Article 64 - Ten (10) days after the decision from the CDDO governing body (or designated body), the party that initiated the local dispute resolution process should advise the CSS Appeals Representative, in writing, of their desire to have SRS review the local determination.
 - Written Notice of Review under Article 64 (2nd option) - If the review does not involve the CDDO as a party, the written request for review must be received by CSS within 60 calendar days following the CDDO's receipt of a written notice of the dispute.
 - CSS Compiles Information - The CSS Appeals Representative will contact all parties and request any relevant information be sent for review. This may include, but is not limited to, Plans of Care, Person-Centered Support Plans, Notices of Action and relevant correspondence (including e-mails). The CDDO should send a current copy of their dispute resolution policy.
 - CSS Reviews Information - After reviewing all documentation, the CSS Appeals Representative and CSS Director will make a determination regarding the review. If necessary, CSS may contact either party by phone or e-mail to clarify the information provided.
 - CSS Assigns Corrective Action - If the CDDO/CSP is found to have made errors in policies, procedures, or practices, CSS will instruct them to make a corrective action.
- OR***
- CSS Supports the Actions of the CDDO/CSP - The appellant receives a written notice that CSS has not found any reason to require changes in policies, procedures, or practices at the local level and advises them of further appeal rights with the Office of Administrative Hearings (OAH).
 - Results of CDDO/CSP not Modifying Policies, Procedures, or Practices per CSS Decision - If the CDDO/CSP does not carry out the corrective action as instructed by CSS, they may face fines per K.A.R. 30-63-13 (d)(3)(A), be in breach of contract with SRS, and/or will not be supported by CSS should the matter go on to the OAH.

Things to remember when involved in an Article 64 Review:

- ✓ All information regarding an review is subject to strict confidentiality standards.
- ✓ Be clear as to which organization took the action that is being reviewed (i.e., CDDO or CSP).
- ✓ All information served by mail is given 3 days added to time limits.
- ✓ Documentation is extremely important to support any actions that have been taken.
- ✓ All correspondence or contact regarding the review should be directly solely to the CSS Appeals Representative.
- ✓ If local disputes are filed directly to OAH, CSS may file a motion to dismiss so the summary review process can take place.

Contact Information:

CSS Appeals Representative
SRS/Health Care Policy
DSOB 10th Floor East
Topeka, KS 66612
785.296.3561
Fax: 785.296.0557